THE HON'BLE SRI JUSTICE D.S.R.VARMA
AND
THE HON'BLE SRI JUSTICE D.APPA RAO

TAKEN UP WRIT PETITION NO.4418 OF 2007
DATE: 13.3.2007

Between:

Harijan Ajibabu, S/o Kurumanna, Undiyal Village, Chinna Chinta Kunta, Mandal, Mahaboobnagar District.

…Petitioner

AND

1.The Station House Officer, Chinna Chinta Kunta (C.C. Kunta) Police Station, Mahaboobnagar District and four others

….Respondents

–

–

–

THE HON'BLE SRI JUSTICE D.S.R.VARMA

AND

THE HON'BLE SRI JUSTICE D.APPA RAO

–

TAKEN UP WRIT PETITION NO.4418 OF 2007

ORAL ORDER: **(per the Hon'ble Sri Justice D.S.R.VARMA)**

Heard the learned Government Pleader for Home, appearing for the respondents.

2. This writ petition is taken up on the basis of a 'Fax Message', dated 26.2.2007, by one Harijan Ajibabu S/o Kurumanna, to the Hon'ble The Chief Justice, High Court of Andhra Pradesh, Hyderabad, alleging that his son by name Harijan Nagaraju, aged about 18 years, was kidnapped by one Boya Srinu, Dasu and others of Konkanvanipally Village, Atmakur Mandal, Mahaboobnagar District, and contractors of APR and Company Limited, in the month of October, 2006.

3. After receiving notices, issued by this Court, the Sub-Inspector of Police, China Chinta Kunta Police Station, Mahabubnagar District, filed a counter-affidavit and, upon the directions of this Court, the missing person and his father, who is no other than the petitioner, were produced before this Court.

4. Upon questioning by this Court, the petitioner, who is present before this Court, has stated that his son was taken away by some people, but he did not give any complaint to the police on that ground to take any action and, on the contrary, he issued the present 'fax message'. Whereas, the alleged missing person, who is also present before this Court, has stated that due to some family troubles he went away somewhere and that he was not kidnapped by anybody.

5. The above two versions of the petitioner and his son are totally contradict each other and we express our absolute unhappiness the way in which the petitioner sent a fax message to this Court without approaching the police for appropriate action. This shows his in-attitude towards investigating agency. This 'no faith attitude' on the investigating agency is neither good to the petitioner nor to the citizens, in any manner, resorting the intervention of the High Court straight away would not only cost the time and money of the investigating agency but also the precious time of the Court and that this Court shall not be taken as a platform for this kind of

interference, which is not warranted. Only in case of failure on the part of the investigating agency, appropriate relief can be sought for.

6. For the foregoing, we do not find any merit in the Writ Petition warranting any interference, the same fails and is liable to be closed.

7. Accordingly, the Writ Petition is closed, at the stage of admission. However, there shall be no order as to costs.

_____

D.S.R.VARMA, J

_____

D. APPA RAO, J

Dated: 13.03.2007

KA